**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL APPLICATION NO.696 OF 2007**

**IN**

**CRIMINAL APPEAL NO.1228 OF 2005**

Gajanan Hiru Khaire : Applicant

versus

The State of Maharashtra : Respondent.

Mr.Ganesh Gole for the applicant.

Mr.P.S.Hingorani, APP, for the State.

**CORAM : D.G.DESHPANDE**

**SMT.NISHITA MHATRE, JJ.**

**DATED : JUNE 25, 2007.**

**P.C.**

1. Heard learned advocate Mr.Gole for the applicant - original accused No.2 and learned APP for the State.

2. Present applicant is the original accused

No.2. We have given time to the learned APP to find out from record regarding the role of this accused out of 23 accused who faced trial originally.

3. Mr.Hingorani, the learned APP, contended that the role attributed to Tukaram Anant Jailkar & ors. in Criminal Application No.1195 of 2006 and the role of the present applicant - original accused No.2 is same. Those applicants/accused in Criminal Application No.1195 of 2006 were granted bail by the Division Bench of this Court and, therefore, the same bail can be granted by this Court to the present applicant/accused No.2. In view of this statement, this application is allowed. The applicant - original accused No.2 is released on bail provided he gives undertaking in writing to the concerned police station that he will not enter the precincts of Raigad District without prior permission of this Court at least for a period of two years. The applicant - original accused No.2 be released on bail on executing his P.R. bond of Rs.20,000/- with two solvent sureties in the like amount. This application is disposed off.

[SMT.NISHITA MHATRE, J] [D.G.DESHPANDE,J]